Application Number	Application/Co 09/681,845	R	pplicant(s)/Patent (eexamination RANKEN ET AL.	under			
Document Code - DISQ Intern			al Document – DO NOT MAIL				
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TERMINAL DISCLAIMER			☐ DISAPPROVED				
Date Filed : January 5, 2006	to a Te	t is subject erminal aimer					
Approved/Disapproved by:							
Henry D. Jefferson							

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Docket Number (Optional) TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING 01F1475 **REJECTION OVER A "PRIOR" PATENT** in re Application of: Kenneth A. Franken et al. Application No.: 09/681,845 Filed: June 15, 2001 For: SYSTEM AND METHOD OF GEOGRAPHIC AUTHORIZATION FOR TELEVISION AND RADIO PROGRAMMING DISTRIBUTED BY MULTIPLE DELIVERY MECHANISMS The owner*, <u>DECISIONMARK CORP</u> of <u>100</u> percent Interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the explainton date of the full statutory term prior patent No. 6.252.547 B1 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement rune with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent tater:

expires for failure to pay a maintenance fee; is haid unenforceable; to found invalid by a court of competent jurisdiction; is statutorily discisinged in whote or terminally discisinged under 37 CFR 1.321; has all claims cancaled by a reexamination certificate; is reissued: or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. 1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declars that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. The undersigned is an attr JANUARY 5 2006 91/96/2006 TL0111 88888825 89681845 **GREGORY G. WILLIAMS** 01 FC:2814 65.69 CP Typed or printed name 319-887-1368 Telephone Number ✓ Terminal discisimer fee under 37 CFR 1.20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. "Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the easignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP \S 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or rotain a benefit by the public which is to file (and by the USPTO to process) an apparentian. Confidentially is governed by 35 U.S.C, 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time we vary depending upon the individual case. Any comments on the emount of time you require to complete this form and/or suggestions for reducing this burdon, should be sent to the Chief information Officer, U.S. Department of Contractes, P.O. Box 1450, Associants, VA 22313-1450. DO NOT SEND FEES OR COMPLETED PORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, "Mexandria, VA 22313-1459.

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FEE TRANSMITTAL For FY 2005			Complete if Known				
			Application Number 09/681,8		845	45	
			Filing Date	JUNE 1	JUNE 15, 2001		
			First Named In	ventor KENNE	KENNETH A. FRANKEN		
Applicant claims small entity status. See 37 CFR 1.27			Examiner Nam	é D. SAL	TARELLI		
		T .		Art Unit	2611		
TOTAL AMOUNT	OF PAYMENT	(\$)	65.00	Attorney Docke	et No. 01F147	'5	
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Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600 3	100	
Provisional	200	100	0	0	0	0	
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HP = highest number of independent claims paid for, if greater than 3. 3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer							
listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereo f. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets Extra Sheets Number of each additional 50 or frection thermof Fee (5) Fee Paid (5)							
- 100 = / 50 = (round up to a whole number) x =							
4. OTHER FEE(5) Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): TERMINAL DISCLAIMER FILING FEE \$85.00							
SUBMITTED BY Signature Telephone 319-887-1368							
Signature	X my			(Attorney/Agent)	31,681	 -	
Name (Print/Type) G	REGORY G. WI	LLIAMS				Date JANI	JARY <u>5</u> , 2008

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PAGE 16/18 * RCVD AT 1/5/2005 4:21:27 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/28 * DNIS:2/38300 * CSID:319 887 13/72 * DURATION (mm-ss):04-30

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form par or have a	agraphs i any quest	dentified by th ions, please se	d the submitted T.D. with the is informal memo in your ne se me or the Special Program APPLICANT OR (2) PLACED	xt Office action to notify a n Examiner. THIS IS AN I	applicant of to NFORMAL, II	the T.D. If you disag NTERNAL MEMO ON	gree LY.		
please in	itial, date	and return th	is memo to me. THANK YOU			·			
Y	The T.D.	is PROPER and	d has been recorded (see 14	.23).		٠			
	The T.D.	is NOT PROPE	R and has not been accepted	for the reason(s) check	ed below (se	ee 14.24):			
		The TD fee of use of a depo		nitted nor is there any au	thorization in	n the application file	for the		
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The person who signed the T.D.:							
		is no	ot an attorney "of record" (se	ee 14.29 and 14.29.01).					
		has	failed to state his/her capaci	ty to sign for the busines	s entity (see	e 14.28).			
		is no	ot recognized as an officer of	the assignee (see 14.29	& possible 1	4.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been sub nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the frame number may be found in the T.D. or in a separate paper of record in the application (see 14							
		The T.D. is no	ot signed (see 14.26 & 14.26	.03).					
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period dis	sclaimed is incorrect or not s	pecified (see 14.26, 14.2	7.02 or 14.2	6.03).			
		Other:					▽		
		Suggestion to and do not ch	request refund (see 14.36). eck this item.	NOTE: If already author	ized, credit r	refund to deposit acc	count		
have ap	propriate	ly notified app	licant(s) of the status of the	Terminal Disclaimer filed	I in this case				
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